

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 10-20737

v.

HONORABLE DENISE PAGE HOOD

CHICO FERGUSON (D1),

Defendant.

**ORDER DENYING MOTION TO MODIFY
SUPERVISED RELEASE CONDITIONS
(entitled on the docket as “Motion for Early Termination
of Supervised Release”)**

This matter is before the Court on Defendant Chico Ferguson’s Motion to Modify Supervised Release Conditions to remove the condition of supervised release of the placement at a Residential Reentry Center for a period of six (6) consecutive months. The Government filed a response to the motion and Ferguson filed a reply to the response.

The court “may modify, reduce, or enlarge the conditions of supervised release, at any time prior to the expiration or termination of the term of supervised release, ...” 18 U.S.C. § 3583(e)(2); *United States v. Maxwell*, 483 F. App’x 233, 241 (6th Cir. June 13, 2012). The court must consider the criteria set forth in 18 U.S.C. § 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6) and (a)(7) before

terminating, discharging, extending, modifying or revoking the term of supervised release. 18 U.S.C. § 3583(e).

After a careful review of the papers submitted by the parties and this Court's previously-stated reasons for the sentence imposed on Ferguson, the Court finds the interest of justice would not be served if the condition of being placed at a Residential Reentry Center is removed. At sentencing, the Court set forth its reasons for the sentence imposed, including the halfway house requirement. The Court adheres to its reasons and 18 U.S.C. § 3553 findings made at sentencing. Because the Court is not modifying the term of supervised release from the sentence imposed by the Court, a hearing is not required under Fed. R. Crim. P. 32.1 ("*Before* modifying the conditions of probation or supervised release, the court must hold a hearing , ...").

Accordingly,

IT IS ORDERED that Defendant Chico Ferguson's Motion to Modify Supervised Release Conditions (entitled on the docket, "Motion for Early Termination of Supervised Release") (**Doc. No. 253**) is DENIED.

S/Denise Page Hood

Denise Page Hood

Chief Judge, United States District Court

Dated: October 6, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of

record on October 6, 2016, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager